REMARKS

Claims 11-13 have been amended. New claims 53-72 have been added, support for which can be found at least in paragraphs **[0093]**, **[0094]**, and **[0186]** of the present specification. No new matter has been added.

Objections to the Specification

As requested by the Examiner, Applicants are submitting a substitute specification to replace the partially-illegible copy alluded to in the Office Action. The substitute specification contains no new matter, and is marked to show the changes made in responses to other objections, including those described immediately below. A clean copy of the specification is also enclosed, without new matter, as well as a statement that the substitute specification contains new matter.

The Examiner objects to typographical errors on page 8, line 15 ("assays") and on page 36, line 23 ("iin," [sic]). These errors have been corrected in the marked up and clean versions of the substitute specification.

Objections to the Claims

The Examiner objects to claims 11 and 13 because they are drawn in part to a non-elected invention. The appropriate claim amendments have been made, thereby obviating the objection.

Rejection Under 35 USC §112, ¶ 2

The Examiner rejects claims 12 and 13 under 35 USC §112, ¶ 2 as being incomplete for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Without acquiescing to the Examiner's assertion, Applicants have amended claims 12 and 13, and have thereby addressed the Examiner's concern about whether the "use" applies to a treatment or method of making a pharmaceutical. No new matter has been added.

Rejection Under 35 USC §101

The Examiner rejects claims 1-8 and 12-17 under 35 USC §101 as directed to non-statutory subject matter. As per Examiner's recommendation, Applicants have

amended the appropriate claims by adding the word "isolated," thereby obviating the rejection.

Rejection Under 35 USC §102

The Examiner rejects claims 11-13 under 35 USC §102, as being anticipated by Ni, et al. (US Patent Publication 2002/0151009)(hereinafter, "Ni reference"). As seen in the sequence alignment provided with the present Office Action, the homology between the human tenascin W of the invention (as seen in, e.g., SEQ ID NO:4 of the present application) and the Ni reference SEQ ID NO:29 is about 6.5% overall. [The homology encompasses a total of 84 residues, which represent about 6.5% of the entirety of the human tenascin W of the invention, i.e., 1294 residues.]

It is extremely unlikely, if not impossible, that a peptide fragment constituting about 6.5% identity to a full length protein possesses the same biological activities as said full length protein. With regards to the case at hand, it is extremely unlikely that the sequence in the Ni reference possesses the biological activities of the full length human tensacin W protein sequence of the invention. Therefore, the claim amendments found in claims 11-13 (and dependent claims thereto), which require that the antibodies of the invention bind a tenascin W protein which has a stem cell differentiation activity, do not read on the antibodies in the Ni reference, as raised by the Examiner. Said claim amendments do not introduce new matter, and can find support in at least paragraph **[0094]**.

Furthermore, regions that are likely to be bound by the anti-tensacin W antibodies of the invention are described in at least paragraphs **[0093]** and **[0186]** of the present specification, and have been incorporated into new claims 58-72. None of said new claims read on the Ni reference sequence, which encompasses residues 1211-1294 of the full length human tenascin W of the invention (outside the specified regions of said new claims).

Applicants respectfully submit that said the amendments and new claims described above overcome the Examiner's §102 rejection of the present claims in view of the Ni reference. No new matter has been added.

Applicants respectfully request entry of the amendments to the claims and the specification and submit no new matter is added thereby. Should the Examiner have any questions, please contact the undersigned attorney.

This response is made with three months' extension. However, if it is deemed that additional fees are required, the Commissioner is authorized to charge Deposit Account No. 19-0134 in the name of Novartis for any fees due.

Respectfully submitted,

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